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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/977,112 | 10/11/2001 | Greg Mercurio | CISCP715 | 1734 |
| 54406 | 7590 | 06/02/2006 | EXAMINER | |
| AKA CHAN LLP / CISCO 900 LAFAYETTE STREET SUITE 710 SANTA CLARA, CA 95050 | | | CAI, WAYNE HUU | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 09/977,112 | Applicant(s) MERCURIO, GREG | |
| | Examiner Wayne Cai | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Claims 1-29 are pending.

Response to Arguments

1. Applicant's arguments filed April 20, 2006 have been fully considered but they are not persuasive.

The Applicant addresses or argues 4 separate sections:

1. Claims 1, 7 and their dependents (pages 8-10 of Remarks)
2. Claim 17 and its dependents (first full paragraph on page 11 of Remarks)
3. Claim 24 and its dependents (pages 11-12 of Remarks)
4. Claim 29 (last paragraph on page 12 of Remarks)

The Examiner respectfully disagrees with all the arguments set forth in the Remarks, and invites the Applicant to further review the explanations set forth below.

In response to arguments of section 1, regarding the Applicant's statement, "forwarding identifications codes of a transceiver to a central processor is not the same as a transceiver accepting static input information associated with the transceiver." The Examiner respectfully disagrees because **static information** is interpreted as information such as id, time, signal strength, etc. that is recorded. Therefore, it is clear to one skilled in the art that Kabala teaches or suggests that when each attendee walks

or attends different booths of the trade show, transceivers 151 to 162 in each booth receives the identification code of the badge carried by the attendee (**i.e., static information associated with the wireless transceiver devices 151-162**). The identification information, along with the transceiver's own identification codes, and the signal strength of the signals received from the badges are forwarded by the transceivers to the central processor 110 (see column 4, lines 52-67). Since the Applicant refers to Figure 5 of Kabala for the teaching of the claimed limitations. The Examiner rather respectfully invites the Applicant to refer to column 4, lines 52-67 for the teaching of the present claim invention.

In addition, the Applicant argues that there is no teaching in Kabala that the listing is stored in memory. The Examiner once again respectfully invites the Applicant to column 3, lines 11-20 where the passage states that "the system further includes memory for storing a list of each of the wireless transmitters, its identification code, identification of a person or an object associated with each of the wireless transmitter, and locations and times of travel". Another listing includes names of persons or identification of objects associated with each of the wireless transmitters, products associated with the at least one wireless transceiver having received transmissions from the wireless transmitters, and times and durations of the reception." Indeed, the passage above does teach about the static information being stored in memory.

The Applicant further argues that inputting a telephone number of one device (an access point) into another device (a wireless information processing terminal) is not equivalent to entering a location associated with a device into itself. The Examiner

however relies on the fact that Nishino teaches or suggests to one skilled in the art that there is an alternative option to enter the location of an access point/wireless transceiver device. Hence, one skilled in the art would easily modify Nishino's invention and arrive at the present invention in order to achieve the flexibility of inputting or entering a desired piece of information.

Since independent claims 7, and 17 do not substantially differ from independent claim 1, the Examiner respectfully requests the Applicant to refer to explanations set forth above.

In response to arguments of section 3, the Applicant states that Kabala fails to teach or suggest determining addresses of the desired locations at which the transceivers are positioned. The Examiner strongly disagrees with the statement above because it is clear to one skilled in the art that Kabala does teach or suggest of setting up or positioning the wireless transceiver devices (i.e., access point) at a desired location (i.e., disposing in respective booths). The Examiner reasonably and broadly interprets "determining an address of the desired location" as identifying or recognizing the wireless transceiver devices themselves. Hence, the wireless transceiver own ID is considered as the address/position of the desired location. Furthermore, if there is an ID designated to each one of the wireless transceiver devices, then there must be a storage to store those ID as it is well known in the art.

In response to arguments of section 5 (should have been section 4), the Examiner also requests the Applicant to refer back to the arguments set forth above. The Applicant further states that Raviv fails to teach or suggest an access point

performing remote authentication to register a roaming device when the roaming device is within a communication range of the access point. The Examiner disagrees because an access point is broadly interpreted as a base station where the wireless device transmit/receive information and communicate with other devices. Therefore, Raviv teaches or suggests a home network performs a registration, and authentication process for a roaming device would read on the claimed limitation.

It appears that the Applicant's arguments are explained as set forth above. Therefore, previous rejection was proper, and the rejection below serves as information purpose only.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-11, 13-17, 19-24, and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kabala (US 6,539,393 B1).

Regarding claims 1, and 7, Kabala discloses a wireless transceiver device (i.e., a plurality of portable transceiver), the wireless transceiver device being arranged to

interface with a roaming device (i.e., a plurality of badges), the wireless transceiver device comprising:

- computer code for causing static input information (i.e., transceiver's own identification codes, signal strength of the signals received from the badges) associated with the wireless transceiver device to be accepted (col. 4, lines 52-67);
- a memory arranged to store data (i.e., the central processor 110 inherently has a memory to store data), the memory further including an editable field, wherein the computer code for causing the static input information to be accepted causes the static input information to be stored in the editable field (col. 4, lines 52-67);
- computer code for causing a record associate with the roaming device to be generate, the record being arranged to include the static input information stored in the editable field and data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored on the memory (see fig. 5, and its descriptions. Also, the central processor 110 would have a memory to store collected data);

Also, it is inherent that a processor for executing the computer codes, wherein the memory is further arranged to store the computer codes.

Regarding claims 2, and 8, Kabala discloses the wireless transceiver device of claims 1, and 7 as described above. Kabala further discloses including computer code

for obtaining the data, wherein the data is obtained when the roaming device is in communication with the wireless transceiver device (i.e., when an attendee carries a badge and approach to the particular transceiver located at the booth).

Regarding claims 3-4, and 9-10, Kabala discloses the wireless transceiver device of claims 2, and 8 as described above. Kabala also discloses wherein the computer code for causing the record associated with the roaming device to be generated includes computer code for causing the record associated with the roaming device to be generated when the roaming device registers/deregisters with the wireless transceiver device (col. 5, lines 1-29).

Regarding claim 11, Kabala discloses the wireless transceiver device of claim 7 as described above. Kabala also discloses wherein the input information is a location associated with the wireless transceiver device (i.e., the booth identification).

Regarding claims 6, 13, and 22, Kabala discloses the wireless transceiver device of claims 1, and 7 as described. Kabala also discloses the wireless transceiver device is an access point (i.e., the transceivers, fig. 1, element 151-162, and the first device is a roaming device (i.e., the badges).

Regarding claim 14, Kabala, and Lee disclose the transceiver device of claim 13 as described above. Kabala also discloses wherein the access point is a pad of a wireless local area network, the transceiver device further including: means for obtaining the data from the first device (i.e., the badges, or attendee) when the first device is in communication with the transceiver device to access the wireless local area network. (col. 6, line 60 – col. 7, line 6).

Regarding claim 15, Kabala and Lee disclose the transceiver device of claim 14 as described above. Kabala also discloses wherein the means for generating the record associated with the first device includes means for placing the data obtained from the first device in the record and means for placing the input information stored in the editable field in the record (fig. 5, and its descriptions).

Regarding claim 16, Kabala discloses the transceiver device of claim 15 as described above. Kabala also discloses wherein the means for generating the record further includes means for obtaining the input information from the editable field. (col. 6, lines 1-45)

Regarding claim 17, Kabala discloses a method for utilizing a transceiver device, the transceiver device being a wireless transceiver device, the transceiver device having a communications range, the method comprising:

- receiving static information into an editable field stored in memory associated with the transceiver device, the static information being information pertaining to the transceiver device (col. 4, lines 52-67);

Since the central processor 110 stores all the collected information from each badge, or each attendee (i.e., storing the static information into the editable field);

- receiving an indication that a roaming device is within the communications range (col. 5, lines 40-50);
- creating a record, the record being arranged to include information associated with the roaming device (fig. 5, and its descriptions);
- adding the static information into the record (fig. 5, and its descriptions);

- storing the record in the memory (col. 5, lines 62-67).

Regarding claim 19, Kabala discloses the method of claim 17 as described above. Kabala further discloses wherein the record is created after the indication that the roaming device is within the communications range is received (col. 5, lines 40-67).

Regarding claim 20, Kabala discloses the wireless transceiver device of claims 17 as described above. Kabala also discloses wherein adding the static information into the record includes reading the static information from the editable field (col. 6, lines 1-45).

Regarding claim 21, Kabala discloses the method of claim 17 as described above. Kabala also discloses wherein the static information is information associated with a location of the transceiver device (i.e., the badges information is associated with the booth identification which is a location of the transceiver device).

Regarding claim 23, Kabala discloses the method of claim 17 as described above. Kabala also discloses obtaining the information associated with the roaming device when the indication that the roaming device is within the communications range is received (col. 5, lines 40-67).

Regarding claim 24, Kabala discloses a method of configuring an access point comprising:

- positioning the access point at a desired location (fig. 1A, elements 181-184);
- determining an address of the desired location (i.e., the transceiver's own ID);

- storing the address in a memory field, the memory field being associated with the access point (col. 5, lines 58-62).

Regarding claims 27, and 28, Kabala discloses the method of claim 24 as described above. Kabala also discloses wherein the memory field is an editable field, and storing the address in the memory field includes: inputting the address into the access point (i.e., adding the wireless transceiver ID associated with a particular booth into the memory).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabala in view of Nishino (US 6,233,452 B1).

Regarding claims 5, and 18, Kabala discloses the wireless transceiver device of claims 1, and 17 as described above, except wherein the static input information is a location associated with the wireless transceiver device, and the computer code for causing the static input information to be accepted include computer code for causing the static input information to be accepted from a source that is external to the wireless transceiver device.

In a similar endeavor, Nishino discloses a wireless information processing terminal and controlling method. Nishino also discloses wherein the static input information is a location associated with the wireless transceiver device, and the computer code for causing the static input information to be accepted include computer code for causing the static input information to be accepted from a source that is external to the wireless transceiver device (fig. 5, boxes S212 & S214 and its descriptions).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the step of accepting static input from a source that is external to the wireless transceiver device because it is an alternative option to input information.

6. Claims 12, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kabala in view of Stewart et al. (hereinafter "Stewart", US – 6,414,635 B1).

Regarding claims 12, and 25, Kabala discloses the system, and method of claims 7, and 24 as described above, except for wherein the address includes at least one of a longitude, a latitude, and an altitude of the desired location.

In a similar endeavor, Stewart discloses a geographic-based communication service system with more precise determination of a user's known geographic location. Stewart also discloses wherein the address includes at least one of a longitude, a latitude, and an altitude of the desired location (col. 15, lines 9-25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kabala's invention by adding different information of the address to precisely locate the roaming device.

Regarding claim 26, Kabala discloses the method of claim 24 as described above, except wherein the address is determined using a global positioning system receiver.

In a similar endeavor, Stewart discloses a geographic-based communication service system with more precise determination of a user's known geographic location. Stewart also discloses wherein the address is determined using a global positioning system receiver (col. 7, lines 35-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the global positioning system receiver in helping to determine the location of the roaming device.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kabala in view of Raviv et al. (hereinafter "Raviv", US 2002/0164983 A1), and further in view of Stewart.

Regarding claim 29, Kabala discloses a method for utilizing an access point, the access point having a communications range, the method comprising:

- receiving static information into an editable field stored in a memory, the static information being information pertaining to the access point (col. 5, lines 58-67);

- storing the static information into the editable field (i.e., storing all collected data to the central processor 110);
- receiving an indication that a roaming device is within the communications range (col. 5, lines 40-50);
- registering the roaming device after the indication is received (i.e., when the transceiver starts collecting data from the badge)
- creating a record after registering the roaming device, the record being arranged to include information associated with the roaming device (fig. 5, and its descriptions);
- obtaining the static information from the editable field (col. 6, lines 1-15);
- adding the static information into the record (fig. 5, and its descriptions);
- storing the record in the memory (col. 5, lines 62-67).

Kabala does not specifically disclose:

- wherein registering the roaming device includes performing a remote authentication.

In a similar endeavor, Raviv discloses a method and apparatus for supporting cellular data communication to roaming mobile telephony devices. Raviv also discloses wherein registering the roaming device includes performing a remote authentication (paragraph 0254).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the step of authenticating so that the identity could be verified, and service could be provided.

Furthermore, Stewart discloses a geographic-based communication service with more precise determination of a user's known geographic location. Stewart also discloses a memory located at the access point (paragraphs 0028, or 0036).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a memory at the access point to store any data collected, or store any information as desired.

Even though the Examiner provides another prior art where it teaches of receiving static information into an editable field stored in a memory of the access point. However, it would have been obvious to one skilled in the art to modify Kabala's invention by implementing a memory embedded to the access point instead of a memory being located at the central processor 110 as described.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Cai whose telephone number is (571) 272-7798. The examiner can normally be reached on Monday-Friday; 9:00-6:00; alternating Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wayne Cai
Examiner
Art Unit 2617



ELISEO RAMOS-FELICIANO
PRIMARY EXAMINER